

PROPOSAL NO. 5
(for Commission use)

2005-06 HONOLULU CHARTER COMMISSION
CHARTER AMENDMENT PROPOSAL FORM

1. Provide a brief description of the purpose of the proposed charter amendment; include a description of the problem the proposal would address and how the proposal would address the problem:

The purpose of this amendment is to: 1) streamline the election process for all city elective offices by eliminating the first special election when there are only two candidates for an office; and 2) increase voter turnout and participation in the general election. Under this proposal, both candidates for the office shall be automatically placed on the ballot for the second special election and the candidate which has the highest number of votes at the second special election shall be deemed elected to that office.

2. If applicable, list the charter provision(s) proposed to be deleted or amended:

Article XIII, section 13-116 of the charter.

3. If the proposal is based on a provision or provisions in the charter or law of another jurisdiction, name the jurisdiction and, if possible, attach a copy of the relevant provision(s).

The proposed amendment is not based upon the charter or law of another jurisdiction.

4. If the proposal is based on any written materials you have, please attach a copy with a citation to its source.

We do not have any written materials other than the minutes from the 1992 and 1998 Charter Commission minutes which discuss the previous amendments to this section, i.e. nonpartisan elections and staggered council terms.

See reverse of this form

5. Attach the text of the proposed charter amendment in Ramseyer format (see below).

Ramseyer Format:

If proposing an amendment to existing Charter provisions, indicate, by underscoring, any language being proposed to be added to the Charter and indicate, by bracketing, any language being proposed to be deleted from the Charter.

If proposing to replace existing Charter provisions in their entirety, clearly indicate the article(s), chapter(s) and/or section(s) of the Charter proposed to be deleted, and provide the text of any provisions proposed to replace the deleted material.

If proposing new Charter material only, provide the text of the new provision(s) and, if possible, indicate where in the Charter the new material should be inserted.

See attachment.

**Please submit this form and attachments by mail, e-mail, or fax.
Submissions are due October 31, 2005.**

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Thank you for participating in the charter revision process!

SECTION 13-116. City Elections –

1. In general: City elections shall be conducted in accordance with the election laws of the state insofar as applicable, but all city elective officers shall be elected by nonpartisan special elections. Except as otherwise provided in this charter, such special elections shall be held in conjunction with the primary and general elections of the applicable year[.]; a special election held in conjunction with the primary election shall be designated the first special election and a special election held in conjunction with the general election shall be designated the second special election. In the case of the council, such special elections shall be held in 2002 and every second year thereafter. In the case of the mayor and the prosecuting attorney, such special elections shall be held every fourth year following the 1992 election.
2. [First special election: In the case of the offices of mayor, prosecuting attorney or councilmember, any candidate receiving a majority of the votes cast for that office shall be deemed elected. However, if there is not more than one candidate for each of the offices of mayor, prosecuting attorney or councilmember, such persons shall be deemed elected regardless of the number of votes received.
3. Second special election: Unless a candidate for mayor, prosecuting attorney, or councilmember is elected in the first special election, the names of the two candidates receiving the highest number of votes for these offices in the first special election shall be placed on the ballot for the second special election. At the second special election the candidates receiving the highest number of votes for mayor, prosecuting attorney and councilmember, respectively, shall be deemed elected.]

Special elections:

- (a) If there is no more than one candidate for any city elective office, then the name of that candidate shall be placed on the ballot for the first special election. The candidate shall be deemed elected at the first special election regardless of the number of votes received.
- (b) If there are only two candidates for any city elective office, the names of the two candidates shall be placed on the ballot for the second special election. At the second special election, the candidate receiving the highest number of votes for that office shall be deemed elected.
- (c) If there are three or more candidates for any city elective office, the names of the candidates shall be placed on the ballot for the first special election. If any candidate receives a majority of votes cast in the first special election for that office, he or she shall be deemed elected. However, if no candidate receives a majority of votes cast in the first special election for that office, then the names of the two candidates receiving the highest number of votes for that office shall be placed on the ballot for the second special election. At the second

special election, the candidate receiving the highest number of votes
for that office shall be deemed elected.